

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

The abstract was objected to as failing to be less than 150 words and being more than one paragraph. However, a new Abstract of the Disclosure was submitted as part of a preliminary amendment filed June 8, 2006. A copy of such abstract and the postcard receipt evidencing the same is submitted herewith. That abstract is believed sufficient to address the specification objection noted in the Official Action.

Claims 9-16 were previously pending in the application. Claim 10 is canceled and new claims 17 and 18 are added.

Therefore, claims 9 and 11-18 are presented for consideration.

Applicants note with appreciation the indication that claims 11-15 are allowable. In reliance thereon, claim 11 is rewritten in independent form.

Claims 9, 10 and 16 were rejected under 35 USC 103(a) as being unpatentable over ALBERT-GARCIA 5,428,448. That rejection is respectfully traversed.

Claim 9 is amended to clarify that the markings are engraved markings and that the digital camera picks up light transmitted by the ophthalmic lens and the pattern filter. Support for these new features can be found at least on page 1,

line 24 and page 2, lines 33-37 as well as page 10, lines 20-32 and page 16, lines 26-33.

ALBERT-GARCIA fails to disclose at least the above-noted features.

Rather, ALBERT-GARCIA describes a method and apparatus for determining the outer perimeter of an eyeglass lens to be fitted into an eyeglass frame, through measurement of the eyeglass frame inner perimeter or measurement of the outer perimeter of a template lens adapted to the eyeglass frame. The eyeglass frame or template lens is placed on a translucent membrane 104 and lighted by light source 100 through a polarizer 102. See column 4, lines 17-59.

ALBERT-GARCIA fails to disclose the use of a pattern filter. Instead, as set forth above, ALBERT-GARCIA uses a polarizer between the light source and the lens.

ALBERT-GARCIA further discloses in column 10, lines 59-68 that a user may mark a lens with a horizontal reference line to aid in identifying the axis. Such mark is a temporary marking and not an engraved marking as recited.

Moreover, as recognized in the Official Action, the coordinates of the geometric center of the lens determined in ALBERT-GARCIA is calculated only from the coordinates of the perimeter of the lens. ALBERT-GARCIA does not determine the position of the coordinates from the position of the support and does not take into account the position of an engraved

(permanent) marking. Thus, claim 9 as presently recited is believed to define over ALBERT-GARCIA.

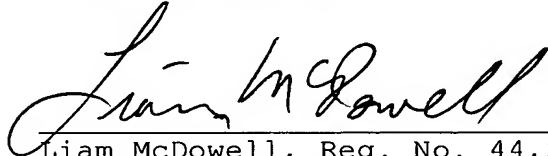
New claims 17 and 18 are added. Claim 17 finds support at least on pages 12 and 13 of the specification as filed. Claim 18 is based on original claim 16 but dependent from new claim 17.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in cursive script, reading "Liam McDowell", is written over a horizontal line.

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